

Applicant: Zeira et al.
Application No.: 10/718,387

Amendments to Drawings:

The attached sheet of drawings includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1. In Figure 1, the label "PRIOR ART" has been added.

REMARKS/ARGUMENTS

Claims 1, 3-5, 15, 18 and 21 are currently pending in this application. Claims 2, 6-14, 16, 17, 19, 20, 22 and 23 have been canceled without prejudice. Claims 1, 3, 15, 18 and 21 have been amended to more distinctly claim subject matter which the Applicants regard as the invention. Figure 1 has been amended such it is designated as prior art. The Applicants submit that no new matter has been introduced into the application by these amendments.

Objections to the Drawings

The Examiner objected to the drawings because Figure 1 should be designated as prior art. A replacement sheet including Figure 1, which has been revised to be designated as prior art is submitted herewith. The withdrawal of the objection to the drawings is respectfully requested.

Claim Rejections

Claims 1-23 are rejected under 35 U.S.C 102(e) as being anticipated by U.S. Patent No. 6,957,070 (Voyer). Claims 2, 6-14, 16, 17, 19, 20, 22 and 23 have been canceled.

Claims 1, 15, 18 and 21 have been amended to more distinctly claim subject matter which the Applicants regard as the invention. Specifically, each of claims 1, 15, 18 and 21 now recites a method step or means for determining a slot assignment rank for a communication station by comparing a first combined score, generated based on a sum of weighted signal interference, code usage and channel spread values associated with the communication station, to other combined scores associated with other respective communication stations. Voyer fails to teach or suggest such a feature.

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The Applicants submit that the prior art of record fails to teach or suggest, alone or in combination, all of the features recited in amended claims 1, 15, 18 and 22. Furthermore, claims 3-5 are dependent upon claim 1, and are also believed to be patentable over the prior art of record for the reasons presented above.

Based on the arguments presented above, the withdrawal of the rejections of the pending claims under 35 U.S.C 102(e) is respectfully requested.

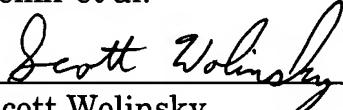
Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing Amendment and remarks, the Applicant respectfully submits that the present application, including claims 1, 3-5, 15, 18 and 21, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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